

HW/b



JAMES D. "BUDDY" CALDWELL
ATTORNEY GENERAL

State of Louisiana
DEPARTMENT OF JUSTICE
P.O. BOX 94005
BATON ROUGE
70804-9005

November 17, 2015

Ms. Kathleen Allen
Ethics Administrator
Board of Ethics for Elected Officials
P.O. Box 4368
Baton Rouge, LA 70821

Dear Ms. Allen:

Enclosed please find correspondence from W. Gray Stream, 1205 N. Lakeshore Drive, Lake Charles, LA 70601. This inquiry involves issues pertinent to the Louisiana Code of Ethics. As this matter is within your jurisdiction, I am forwarding this correspondence to you for your response.

This office would appreciate any effort by your office to expedite this matter.

Very truly yours,

JAMES D. "BUDDY" CALDWELL
ATTORNEY GENERAL

BY:



EMALIE A. BOYCE
DEPUTY DIRECTOR, CIVIL DIVISION

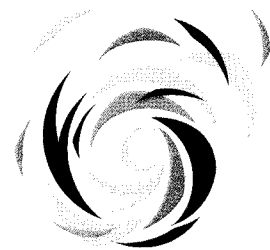
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cc: Mr. W. Gray Stream

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November 10, 2015

Honorable James David "Buddy" Caldwell, Sr.
Office of the Attorney General
1885 N. Third Street
Baton Rouge, Louisiana



NATIONAL
HURRICANE
MUSEUM
& SCIENCE CENTER

Re: Attorney General's Opinion
Capital Outlay Construction Manager at Risk Eligibility

To Whom It May Concern:

The National Hurricane Museum & Science Center, Inc. (NHMSC), a non-profit 501(c)3 corporation, requests an Attorney General's opinion concerning the following:

The National Hurricane Museum & Science Center has received Louisiana capital outlay funding as a non-governmental organization and has submitted a request for future years. The organization is planning to use the "Construction Manager at Risk" method of delivery to design and build this \$57 million educational facility in downtown Lake Charles. Total capital outlay dollars being requested is approximately \$28 million. The remaining capital funds will come from local governmental entities, private foundations, corporations and individuals.

Mr. Dan Gilbane, Vice President of Gilbane Construction, has been a member of the NHMSC board for approximately 2 years. Gilbane Construction has an excellent reputation as a contractor, especially in the areas of cultural and educational projects. It is for this relevant expertise that the board members at the time sought Mr. Gilbane to join them as the board guided the fund raising efforts and planned for the future of the NHMSC.

Now, with over \$44 million in total dollars raised and a proposed opening date of the first of 2019, the board will be sending out a Request for Proposals the first part of 2016 for the position of Construction Manager at Risk. The NHMSC Board of Directors asks the Attorney General to provide an opinion on whether or not the NHMSC Board and Gilbane Construction would be violating any ethical issues by answering the RFP for Construction Manager at Risk; and, if not, is Mr. Gilbane required to step-down from the NHMSC Board of Directors should the firm be chosen to perform the work. The board will follow all state laws and regulations as it pertains to the awarding of such contract. It is not the desire or intent of any of the NHMSC board members to penalize or to give special treatment to Gilbane Construction as it relates to Mr. Gilbane's service on the NHMSC board.

For more information on the project, please visit www.nhmsc.com or call my cell. Thanking you in advance for your opinion on this matter.

Respectfully,

W. Gray Stream
Chairman of the Board
337.513.3419
gstream@streamcompany.com

